

The subject matter of the claims are directed to a locking apparatus for attaching to a portable electronic device, or the like. For these devices, it is important that the locking apparatus be small, strong, resistive to tampering and breaking, and preferably, be removable.

Claim 56

As amended, claim 56 recites a novel locking apparatus including a housing, a pin and a cable attachment mechanism. The claimed product is designed to provide an effective solution to theft of portable electronic devices, such as laptop computers. As recited in claim 56, the housing includes a slot engagement member with a slot engaging portion having a locking member with a peripheral profile complementary to a security slot in an exterior wall of the electronic device. Additionally, a pin is insertable within the security slot when the locking member engages the security slot to inhibit reorientation of the locking member with the security slot. The cable attachment mechanism permits attachment of a cable to the housing, with the cable used, in the preferred embodiment, to attach to a second object other than the electronic device.

Claim 65

New independent claim 65 recites a number of elements: a cable, a housing, a pin and cable attachment means. The cable is for attaching to a first object other than the electronic device being locked. The housing, proximate the electronic device,

B

includes a slot engagement member and pin similar to the ones described above with respect to claim 56.

Claim 66

New independent claim 66 includes a portable electronic device, a housing, a pin and a cable retaining means. The housing is adapted to abut the exterior wall of the electronic device adjacent to the security slot, with the retaining means retaining a cable to the housing.

The Cited References:

Parker

Parker teaches a key fastener for retaining a key within a keyhole. A key, having an enhanced key-head with a slot, permits a hook to be integrated with the key when the key is inserted into a lock and turned. The hook, inserted into the key slot, retains the key in the locked position until the hook is removed.

Robeson

Robeson teaches another keyhole guard having a nib for engaging a keyhole of a door when locked, and a lock member that appears to resist rotation, and hence removal, of nib when the lock member is inserted within the keyhole.

Jacobi

Jacobi teaches a door handle lock with a housing and shaft, for engaging a bore hole through a door handle and wall of a refrigerator. A rod contained within the shaft has a locking

member affixed to one end. Rotation of the rod while the shaft is within the bore hole of the door permits engagement of the locking member inside of the bore hole. The shaft is free to rotate within the bore hole.

Wheeler

Wheeler teaches another type of key fastener referred to as a lock guard. Wheeler adds an ability to affix a padlock to Parker and Robeson-type of locks in order to more securely retain the hook (or shaft) within the keyhole.

The Rejections:

§ 102(b) - Parker

The rejection asserts that claims 56-60 are anticipated by Parker. The rejection asserts that Parker teaches all of the claim elements of a locking device for a rectangular slot including a housing 8 with rotatable locking part 9, pin 13 with threaded portion 19, cavity 11, and aperture 18. These assertions, and the rejection, are respectfully asserted.

As amended, claim 56 recites a locking member for engaging a security slot in an exterior wall of a portable electronic device. The door is not a portable electronic device and does not satisfy this limitation, nor would a person of ordinary skill in the art be motivated to modify or use Parker for use in locking to a portable electronic device.

Further, a housing as recited in claim 56 is not shown in Parker. A solid shaft of a key is inappropriately equated as a housing. Further consideration of this rejection is requested.

Finally, claim 56 as amended includes limitations of a cable attachment means. This limitation is not satisfied, nor would there be motivation to modify Parker to satisfy this limitation. Part of the reason that there is no motivation to modify Parker is the realization of the different uses of the respective inventions. Parker is designed to retain a key that is locking a door in the locked position. The subject matter of claim 1 is designed to removably secure a cable to an electronic device by providing for a cable attachment device to removably attach to the security slot.

Thus the rejection of claim 56 is respectfully requested to be withdrawn. Also, reconsideration of a keyway cited in the reference as satisfying a limitation of being a rectangular slot is respectfully requested. Old style keyways were often far from being 'rectangular' and no illustration of the keyway shape is presented.

Claims 57-64 and new claim 67, dependent from claim 56, are respectfully asserted to be patentable for all the reasons set forth above with respect to claim 56.

Additionally, claim 57 is patentable in its own right in that it recites that the pin has a threaded portion that is complementary to a second threaded portion in an aperture of the housing. The hook shown in Parker has no threads as that term is used in the claim.

§ 102(b) - Robeson

The rejection asserts that claims 56-61 and 63 are anticipated by Robeson. The recitation of the elements

assertedly anticipating the subject matter of claim 56 are similar to those identified above with respect to the Parker rejection. Claim 56 is patentable over Robeson for all the reasons set forth above with respect to the patentability of claim 56 over Parker. Specifically, Robeson also fails to provide a housing. Additionally, as amended, claim 56 recites the security slot to be in a portable electronic device and identifies a cable attachment means. The Robeson device cannot meet these limitations.

Thus, the rejection of claim 56, and claims 57-61 and 63 dependent therefrom, are respectfully requested to be withdrawn.

§ 102(b) - Jacobi

Claims 56, 58, 59, and 61 were rejected as being clearly anticipated by Jacobi. These rejections must be withdrawn as insufficient identification of the corresponding elements have been provided to permit the undersigned to respond to the rejection. The undersigned does not understand how the Jacobi structure assertedly satisfies the claimed limitations.

§ 103 - Jacobi and Wheeler

Claims 61, 62 and 64 were rejected over Jacobi in view of Wheeler. The rejection asserts that Jacobi, in Fig. 4 and Fig. 5, teach substantially the claimed invention of claim 61, 62, and 64 except for opposing apertures in the sidewalls used to accept a cable of a padlock instead of a lock cylinder. The rejection asserts that it is well known (citing Wheeler) to slide a spindle and pin into a cavity of a housing wherein both members have

complementatry apertures in the side walls for accepting a shackle of a padlock. It assertedly would have been obvious to replace the cylinder lock of Jacobi with apertures and a padlock like that taught by Wheeler. The motivation to modify Jacobi is that the resulting structure would assertedly be simpler and less expensive, yet assertedly be as effective as the locking the device of Jacobi.

As amended, claims 61, 62 and 64 each include cable attachment means and recite that the security slot be provided in an exterior wall of a portable electronic device. A Jacobi device is not suited for working with thin walls of electronic devices, and there is no suggestion of attaching a cable to either the Jacobi device or Wheeler device (since neither the refrigerator or door is portable).

Withdrawal of the rejections of claims 61, 62 and 64 is respectfully requested.

Conclusion:

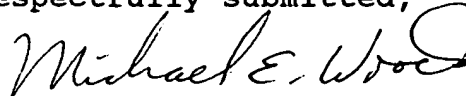
Accordingly, it is believed that the rejections under 35 U.S.C. §§ 102 and 103 have been overcome by the foregoing amendments and remarks, and it is submitted that the claims are in condition for allowance. Further examination and reconsideration of this application as amended are respectfully requested. Allowance of all pending claims is earnestly solicited. If it is deemed that a telephone conversation would

Murray, et al.
Serial No.: 08/307,113.
Page 12

PATENT

expedite the prosecution of the present application, the Examiner
is invited to call the undersigned attorney at (415) 543-9600.

Respectfully submitted,



Michael E. Woods
Reg. No. 33,466

TOWNSEND and TOWNSEND and CREW
One Market Plaza
Steuart Street Tower, 20th Floor
San Francisco, California 94105
(415) 543-9600
MEW:ajs:db